

FORM PTO-1390
(REV 10-94)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE ATTORNEY'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

9555.109USWO

U.S. APPLICATION NO. (If known, see 37 C.F.R. 401)

Unknown

09/744129

INTERNATIONAL APPLICATION NO.

PCT/CA99/00666

INTERNATIONAL FILING DATE

21 July 1999

PRIORITY DATE CLAIMED

21 July 1998

TITLE OF INVENTION

COMPOSITION FOR ACCELERATING SEED GERMINATION AND PLANT GROWTH

APPLICANT(S) FOR DO/EO/US

SMITH et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(I).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☒ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☒ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An unsigned oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A FIRST preliminary amendment.
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information: Courtesy copy of PCT/CA99/00666; 1 sheet formal drawing; Form PCT/IB/308; Form PCT/RO/101; Form PCT/ISA/220; Form PCT/ISA/210; Form PCT/IPEA/401; Form PCT/IPEA/408; Form PCT/IPEA/416; Form PCT/IPEA/409

U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.5)

Unknown

INTERNATIONAL APPLICATION NO.

PCT/CA99/00666

JCS Rec'd PCT/PTO
KEYS DOCKET NUMBER

950109USWO

7 9 JAN 2001

17. [X] The following fees are submitted:

BASIC NATIONAL FEE (37 CFR 1.492(a) (1)-(5)):

Search Report has been prepared by the EPO or JPO.....\$860.00

International preliminary examination fee paid to USPTO
(37 CFR 1.492(a)(1)).....\$690.00No international preliminary examination fee paid to USPTO (37 CFR 1.482)
but international search fee paid to USPTO (37 CFR 1.445(a)(2)).....\$710.00Neither international preliminary examination fee (37 CFR 1.482) nor
international search fee (37 CFR 1.445(a)(3)) paid to USPTO\$1000.00International preliminary examination fee paid to USPTO (37 CFR 1.482)
and all claims satisfied provisions of PCT Article 33(2)-(4)\$100.00**CALCULATIONS PTO USE ONLY****ENTER APPROPRIATE BASIC FEE AMOUNT = \$860.00**Surcharge of \$130.00 for furnishing the oath or declaration later than [] 20 [] 30
months from the earliest claimed priority date (37 CFR 1.492(e)).

\$

CLAIMS

NUMBER FILED

NUMBER EXTRA

RATE

Total claims 30 -20 = 10 X \$18.00 \$180.00

Independent claims 3 -3 = 0 X \$78.00 \$0.00

MULTIPLE DEPENDENT CLAIM(S) (if applicable) + \$260.00 \$

TOTAL OF ABOVE CALCULATIONS = \$1040.00Reduction by 1/2 for filing by small entity, if applicable. Small entity status is claimed
pursuant to 37 CFR 1.27

\$520.00

SUBTOTAL = \$520.00Processing fee of \$130.00 for furnishing the English translation later than [] 20 [] 30
months from the earliest claimed priority date (37 CFR 1.492(f)).

+ \$

TOTAL NATIONAL FEE = \$520.00Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be
accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property

+ \$

TOTAL FEES ENCLOSED = \$520.00Amount to be:
refunded \$

charged \$

a. [X] Check(s) in the amount of \$520.00 to cover the above fees is enclosed.

b. [] Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees.
A duplicate copy of this sheet is enclosed.c. [X] The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any
overpayment to Deposit Account No. 13-2725.**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR
1.137(a) or (b)) must be filed and granted to restore the application to pending status.**

SEND ALL CORRESPONDENCE TO:

Gregory A. Sebald
MERCHANT & GOULD
P.O. Box 2903
Minneapolis, MN 55402-0903SIGNATURE: 

NAME: Gregory A. Sebald

REGISTRATION NUMBER: 33,280

Applicant: SMITH et al.

Docket: 9555.109USWO

Title: COMPOSITION FOR ACCELERATING SEED GERMINATION AND PLANT GROWTH

CERTIFICATE UNDER 37 CFR 1.10

'Express Mail' mailing label number: EL 415941482US

Date of Deposit: January 19, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service 'Express Mail Post Office To Addressee' service under 37 CFR 1.10 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

By: 

Name: Brant Miles

BOX PCT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

We are transmitting herewith the attached:

- ☒ Transmittal sheet, in duplicate, containing Certificate under 37 CFR 1.10.
- ☒ National Stage PCT Patent Application: Spec. 44 pgs; 32 claims.
The fee has been calculated as shown below in the 'Claims as Filed' table.
- ☒ 1 sheet of formal drawings
- ☒ An unsigned Combined Declaration and Power of Attorney
- ☒ A check in the amount of \$520.00 to cover the Filing Fee
- ☒ Other: Preliminary Amendment with abstract; Form PCT/IB/308; Form PCT/RO/101; Form PCT/ISA/220; Form PCT/ISA/210; Form PCT/IPEA/401; Form PCT/IPEA/408; Form PCT/IPEA/416; Form PCT/IPEA/409 Form PTO-1390; 5 Amended sheets under Article 19.
- ☒ Return postcard

CLAIMS

Number of Claims		In Excess of:		Number Extra		Rate		Fee
Basic Filing Fee								\$430.00
Total Claims								
30	-	20	=	10	x	9.00	=	\$90.00
Independent Claims								
3	-	3	=	0	x	0.00	=	\$0.00
MULTIPLE DEPENDENT CLAIM FEE								\$0.00
TOTAL FILING FEE								\$520.00

Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

MERCHANT & GOULD P.C.
P.O. Box 2903, Minneapolis, MN 55402-0903
(612) 332-5300

By: 

Name: Gregory A. Sebald
Reg. No.: 33,280
Initials: GAS/vhahn

